

REMARKS

Claims 1-22 have been amended. Claims 23-27 have been added. Claims 1-27 are pending in this application. In light of the above listed amendments and the remarks below, the Applicants respectfully assert that no new matter has been added, and the application is now in condition for allowance. The Applicants respectfully solicit an indication of such an allowance.

Claim Rejections Under 35 U.S.C. § 112

Claims 2, 10, 11, 13, 21, and 22 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. As listed in above, Claims 2, 10, 11, 13, 21, and 22 have all been amended. The Applicants respectfully assert that as a result of these amendments the rejections under 35 U.S.C. § 112, second paragraph have been overcome.

Claim Rejections Under 35 U.S.C. § 102(e)

Claims 1-22 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Publication No. 2004/0088251 to Moenickheim et al. (hereinafter, "*Moenickheim*"). *Moenickheim* discloses a technique for identifying payees to be paid by an electronic commerce service provider on behalf of each of a plurality of consumers by tailoring candidate payees for each consumer based upon each consumer's identity information. (See *Moenickheim*, Abstract). The Applicants respectfully assert that *Moenickheim* fails to teach or suggest all the claim elements of amended independent Claim 1. Specifically, *Moenickheim* fails to teach or suggest at least the following recitation included in amended independent Claim 1:

determining a plurality of risk reduction techniques available for fulfilling the received payment request *based at least in part on information included in the received payment request*;

selecting one of the available risk reduction techniques to be used when processing the payment request *based on at least one predetermined factor associated with each of the plurality of risk reduction techniques . . .*

(Claim 1, emphasis added). While *Moenickheim* discloses business rules to be applied in processing payment requests such as "payment amount thresholds, payment frequency

thresholds, or other business rules associated with risk processing” (*Moenickeheim*, paragraph 210), *Moenickeheim* does not determine “a plurality of risk reduction techniques available for fulfilling the received payment request based at least in part on information included in the received payment request,” as stated in amended independent Claim 1. Nowhere in *Moenickeheim* does it teach or suggest performing a determination as to whether or not different risk reduction techniques should apply to a payment request based on information included in that received payment request.

Additionally, while *Moenickeheim* discloses business rules to be applied in processing payment requests such as “payment amount thresholds, payment frequency thresholds, or other business rules associated with risk processing” (*Moenickeheim*, paragraph 210), *Moenickeheim* fails to teach or suggest a selection from several applicable risk reduction techniques for fulfilling the received payment request to be used when processing the payment request based on a predetermined factor associated with each of the plurality of risk reduction techniques. Such functionality described in amended independent Claim 1 has various advantages including choosing between various applicable risk reduction techniques based on one or more factors to mitigate one or more types of risk for a particular payment transaction. *Moenickeheim* does not teach or suggest such advantageous functionality.

Additionally, amended dependent Claims 8-11 (and dependent system claims 19-22) further specify that the selection between the available risk reduction techniques may be based on various factors. For example, dependent Claim 9 (and dependent system Claim 20) specifies that the selection of risk reduction technique to apply to payment processing is based on the least costly risk reduction technique of the risk reduction techniques available for payment processing. Similarly, dependent Claim 10 (and dependent system Claim 21) selects the risk reduction technique that has the shortest time period to complete the payment of the risk reduction available for payment processing. Nowhere in *Moenickeheim* is such selection between applicable risk reduction techniques taught or suggested.

For at least the above stated reasons, the Applicants respectfully contend that *Moenickeheim* fails to disclose, teach, suggest or motivate all of the claim elements of amended independent Claim 1. The Applicants further contend that *Moenickeheim* fails to disclose, teach, suggest or motivate all of the claim elements of amended independent Claim 12 and newly added

Claim 23 for at least the same reasons as discussed above for amended independent Claim 1. Therefore, the Applicants respectfully contend that amended independent Claims 1, 12, and 23 are allowable. Further, the Applicants respectfully assert that the claims depending from any of the amended independent Claims 1 and 12 are allowable as a matter of law, notwithstanding the recitation of patentable features that may be included in any of the dependent claims.

In addition to the amendments of Claims 1-22, Claims 23-27 have been added. These additional amendments and newly added claims provide further description and clarification of the invention(s) that are the subject of the present application. The Applicants respectfully assert that no new matter has been added, and the application is now in condition for allowance.

Conclusion

Reconsideration of the application is requested in light of the amended claims, specification and the remarks. The Applicants believe they have responded to each matter raised by the Examiner. Allowance of the claims is respectfully solicited. It is not believed that extensions of time or additional fees are required beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. §1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 19-5029.

Respectfully submitted,

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